



DNK-1998-055-PA-DIV2-JBM:141993v2

Atty Dkt. 4002-2533

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Branch et al.) Examiner
Serial No. 09/870,023)
Filed 5/30/01)
INTERBODY FUSION GRAFTS) September 25, 2001
AND INSTRUMENTATION)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on **September 25, 2001**.

James B. Myers, Jr.
Name of Registered Representative
James B. Myers Jr.
Signature
September 25, 2001
Date of Signature

SUBMISSION OF MISSING PARTS OF APPLICATION
UNDER 37 CFR 1.53(b)

Hon. Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts dated June 14, 2001, please consider the following. Pursuant to the Notice to File Missing Parts of Application received for the above application, Applicants submit herewith a signed Declaration and Power of Attorney for Charles L. Branch.

A Request for an Extension of Time is submitted concurrent with this Response. Additionally, please charge any fees which may be due or credit any overpayment to Deposit Account No. 23-3030, but not to include payment of any issue fees that are or become due

Respectfully submitted,

By: James B. Myers Jr.

James B. Myers Jr., Reg. No. 42,021

Woodard, Emhardt, Naughton

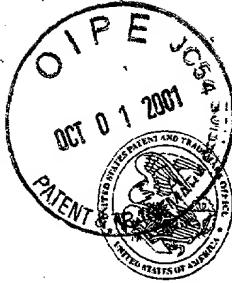
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FLING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/870,023	05/30/2001	Charles L. Branch	4002-2533

CONFIRMATION NO. 9301

FORMALITIES LETTER



OC000000006184103

James B. Myers Jr.
Woodard, Emhardt, Naughton, Moriarty & McNett
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137

Date Mailed: 06/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*